

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 6067**

**BILL NUMBER:** HB 1329

**DATE PREPARED:** Oct 26, 1998

**BILL AMENDED:**

**SUBJECT:** Prohibit use of fireworks after midnight.

**FISCAL ANALYST:** Beverly Holloway

**PHONE NUMBER:**

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill makes it a Class B Misdemeanor to discharge fireworks between the hours of midnight and 10 a.m. The hour restrictions do not apply to a governmental unit or an organization or group of individuals that possesses a permit.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** This bill makes it a Class B Misdemeanor to discharge fireworks between the hours of midnight and 10 a.m. The hour restrictions do not apply to a governmental unit or an organization or group of individuals that possesses a permit. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund could increase. The maximum fine for a Class B Misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, county or municipal court (courts of record), 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund. The fiscal impact is dependent on the number of individuals which violate the provisions of this bill.

**Explanation of Local Expenditures:** A Class B Misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive

3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts; Local law enforcement agencies.

**Information Sources:**